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Southern Criminology

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Abstract

Issues of vital criminological research and policy significance abound in the global South, with important implications for South/North relations, and for global security and justice. Having a theoretical framework capable of appreciating the significance of this global dynamic will contribute to criminology being able to better understand the challenges of the present and the future. We employ southern theory in a reflexive (and not a reductive) way to elucidate the power relations embedded in the hierarchal production of criminological knowledge that privileges theories, assumptions and methods based largely on empirical specificities of the global North. Our purpose is not to dismiss the conceptual and empirical advances in criminology, but to more usefully de-colonise and democratise the toolbox of available criminological concepts, theories and methods. As a way of illustrating how southern criminology might usefully contribute to better informed responses to global justice and security, this article examines three distinct projects that could be developed under such a rubric. These include firstly, certain forms and patterns of crime specific to the global periphery; secondly, the distinctive patterns of gender and crime in the global south shaped by diverse cultural, social, religious and political factors; and lastly the distinctive historical and contemporary penalities of the global south and their historical links with colonialism and empire building.

Key words

Southern Theory, Southern Criminology, Metropolitan thinking, Criminological Theory, the Global Periphery, Knowledge/Power

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Introduction

In *Southern Theory* (2007) Raewyn Connell analysed the impact of global divisions in political, economic, cultural and military power on the production of knowledge. Based on the experience of a small number of societies in the Global North, she argued, social science had succeeded in representing itself, and being widely accepted, as universal, timeless and placeless. Connell was centrally concerned with sociology, but as we will seek to show, her argument applies with equal force to criminology, although we do not wish to construct on overly reductive account of this knowledge/power effect. Accordingly, we outline the case for the development of a more trans-national criminology that is inclusive of the experiences and perspectives of the Global South, that adopts methods and concepts that bridge global divides and that embraces the democratisation of knowledge production as a political aspiration. Importantly, in making the argument for southern criminology it is not our purpose to simply add one more candidate to the expanding list of new criminologies and thus contribute to what many regard as the growing fragmentation of the field (Bosworth and Hoyle, 2011: 3). Southern criminology is a political project as well as a theoretical and empirical one as we now endeavour to explain.

The North/South distinction refers to the divide between the metropolitan states of Western Europe and North America, on the one hand, and the countries of Latin America, Africa, Asia and Oceania, on the other. In the pyramid of global knowledge production, the periphery was initially pressed into service as a 'data mine' for metropolitan theory, as examples of 'primitive', 'tribal' or 'pre-modern' societies (Connell 2007: 66).[1] Thereafter the dominant tendency has been for theory generated in the global North to be imported into the periphery (Connell, 2014: 51), its essential task being relegated to that of applying the imported theory to local social problems in order to produce empirical findings whose relevance is generally confined to the local setting. This epistemological process bolstered the hegemony of northern theory whilst either ignoring or excluding ideas and theory rooted in the history and experience of societies of the South.

'Southern' therefore references geographical divides in the world but is also used as a metaphor for the power relations embedded in 'periphery – centre relations in the realm of knowledge' (Connell, 2007: viii). The unstated assumption of metropolitan social science was that all societies were bound to follow the lead of modern societies of the global North if they were to successfully modernize. According to this logic, social and criminological phenomena in the peripheral world would be investigated, if at all, from the standpoint of their (imperfect) realisation of universal theories and laws of development generated from 'modern societies' of the global North. This theoretical strategy, Connell argued, produces 'readings from the centre' which make universal knowledge claims yet fails to reflect their geo-political specificity (Connell, 2007: 44). The problem, she suggested, is not a lack

of ideas from the periphery but 'a deficit of recognition and circulation' (Connell, 2014: 52). This kind of theory, which Connell calls metropolitan thinking, also fails to conceptualise 'the bloodshed', 'the destruction of social relations' and the 'dispossession' 'involved in creating the current world in which we live' (Connell, 2007: 215), that is, the historical reality that conquest and colonisation were constitutive of western capitalist modernity from the very beginning.

Southern criminology aims to rectify these omissions by adding new and diverse perspectives to criminological research agendas to make them more inclusive and befitting of the world in which we live. Importantly we do not use Connell's conception of southern theory uncritically. Simply supplanting metropolitan theory with southern theory risks becoming a reductive exercise that essentialises and caricatures northernness, while romanticising knowledge production in the global South (McLennan, 2013: 121-125). While we take issue with the northerness of criminological assumptions, we attempt to avoid the reductionism that characterises some sweeping post-colonial critiques of social science by articulating the theoretical foundations of a southern criminology as a redemptive project. In this sense our purpose is distinguished from the post-colonial project of epistemological and ontological disobedience and insurrection, where redemption is neither a conceptual or political possibility (Mignolo, 2008). Rather we employ southern theory in a reflexive way to elucidate the power relations embedded in the hierarchal production of criminological knowledge that privileges theories, assumptions and methods based largely on empirical specificities of the global North. Our purpose is not to dismiss the conceptual and empirical advances that criminology has produced over the last century based largely on readings from the centres of the northern metropole, but to more usefully de-colonise and democratise the toolbox of available criminological concepts, theories and methods.

The Theoretical Foundations of Southern Criminology

Where criminology has become well-established as a field within the social sciences in the global South it has tended to borrow and adapt metropolitan assumptions (Carrington, 2015). Consequently criminologies of the South have been oriented to vertical integration, accepting their subordinate role in the global organisation of knowledge, at the expense of horizontal collaboration. This has stunted the intellectual development and vitality of criminology, both in the South and globally. It has also perpetuated the relative neglect of pressing criminological issues which affect both North and South. In other parts of the South, criminology is not yet well established as a discipline, although it is developing in Asia, with the establishment of the Asian Criminological Society and its journal (Lui, 2009). If southern criminology is to flourish in all its potential diversity it must challenge the epistemological dominance of metropolitan thought. Southern criminology does not offer another form of opposition so much as a series of projects of retrieval. Its purpose is not to denounce but to re-orient, not to oppose but to modify, not to displace but to augment. It is primarily concerned with the

careful analysis of networks and interactions linking South and North which have been obscured by the metropolitan hegemony over criminological thought. Metropolitan thinking is a general concept that captures a set of tendencies, rather than a distinct, uniform body of theory. Our purpose below in illustrating how metropolitan thinking has shaped the focus of criminology is to urge critical reflexion on the colonising and hegemonic dynamics within criminological theory. The most crucial of metropolitan assumptions include the following.

Much research in criminology takes for granted a high level of internal peace within what is assumed to be a stable nation state system. This has led to the obfuscation of the historical role of state violence in nation-building, the expansion of colonialism across the global South, and the neglect of contemporary violent phenomena, like armed conflict, drug wars and ethnic cleansing, that are more common in the Global South (Braithwaite, 2013; Braithwaite and Wardak, 2013; Hogg, 2002; Barberet 2014). As an essentially peace-time endeavour, much criminological research has concentrated on justice as 'a domestic (national) project, confined to local or national interests' (Barbaret, 2014: 16), overlooking major historical and contemporary forms and trends in criminal justice practice outside the metropolitan centres of the northern hemisphere. These include colonial penal practices (Brown, 2014), like the use of penal transportation as an instrument of imperial power (Shaw, 1966; Forster, 1996), the experiences of crime and victimisation in post-colonial contexts of the global South that have led to excessively high rates of Indigenous incarceration and criminalisation (Cunneen, 2001; Carrington 2015); and the contemporary Islamisation of criminal justice occurring across parts of the global South (Carrington 2015; Kahn 2004; Mir-Hosseini 2011). The focus on the state has also led to a lack of attention to alternative forms of justice, conflict resolution and punishment beyond the state, such as customary forms of dispute resolution, or transitional justice movements that exist in many parts of the global South (see Braithwaite and Wardock, 2013; Braithwaite and Gohar, 2014).

Modernisation theories in the social sciences conceived social ills like crime as disorders of the processes of industrialisation, and this led to the assumption in criminology that crime was primarily an urban phenomenon. This assumption may capture the impact of nineteenth century industrialisation on social relations in the global North, but it overlooks the impact of industrial capitalism from its earliest days on the reconstruction of the global countryside and marginalises research into the distinctive character of crime in rural and regional locales (Harkness, Baker and Bridget, 2015; Hogg and Carrington, 2006; Donnermeyer and DeKeseredy 2013; Barclay et al, et al. 2007), a point to which we return below.

The nation state focus of much criminology has led to the relative neglect, until recently, the implications of borderless and transnational crimes such as environmental crimes, e-crimes and cybercrime. There is however a growing tradition of green criminology attempting to correct this

neglect (Brisman, South, White, 2015; Walters, 2013; White 2013), and a new interest in researching crimes of cyberspace (Lee et al 2013; Crofts, et al, 2015). Notwithstanding its growing interest in cybercrime and crimes against the environment, criminology as a field devotes little attention to global environmental and corporate harms whose incidence and impacts are greatest in the global South, such as those associated with resource extraction, climate change and economic exploitation (Laslett, 2014; Carrington, Hogg and McIntosh, 2011). Where globalization has been a foci of criminological theorising it has too readily assumed the simple extension of northern trends (like neo-liberal penality) across the globe, failing to do justice to global diversity in the sources and trajectories of economic, social and penal policy (Connell and Dados, 2014; Sozzo, 2015b; 2015c). We expand on this tendency in criminology below in our analysis of the mismatch between the neo-liberal penality thesis and practices of punishment in Latin America.

We appreciate that some criminological approaches have sought to grapple with historical, political, ideological, economic, cultural and social specificity – feminist and critical criminology especially[2]. While these approaches go some way toward including the dynamics of globalisation and colonisation (Aas, 2012), even critical perspectives have still tended to concentrate on the problems that crime, violence and criminalisation pose for the metropolitan centres of the northern hemisphere. This is not to suggest that these analyses are faulty, simply that they are selective in privileging empirical referents and theoretical concepts derived from the geo-political specificities of the metropolitan centres of the global North.

The development of a southern criminology will not suddenly overturn the knowledge/power relations that have shaped social science in general and criminology in particular, but it may usefully aim to modify them in productive ways. Space constraints prevent us from elaborating the argument at length. Instead we briefly outline three areas of inquiry that illustrate the potential of southern criminology to transcend the assumptions noted above. First, however, it is necessary to further unpack the North/South distinction.

Global North and Global South

Our argument is wary of dichotomous categorisations and binary thinking even as it might appear to involve the opposite. The division between North and South has its uses[3], but only as long as we employ this metaphor to uncover what it obscures as much as what it reveals. The southern is also a metaphor for the Other, the invisible, the subaltern, the marginal, the excluded. This is what we propose in speaking of something called 'southern' criminology. The division of the contemporary world into North and South loosely approximates older (but still common) ways of talking about global divides and global social relations. These familiar binaries all expressly privilege ideas of temporal succession: 'develop*ed*' and 'develop*ing*', 'industrial' and 'industrializ*ing*', 'first' and 'second' worlds and 'the *third* world'. In other words, the global North designates the normative

benchmark (the developmental destination) to which the rest of the world will naturally aspire. This is symptomatic of general metropolitan thinking. It assumes the linear, panoramic, unifying and modernist standpoint of the global North in which space, and geo-political difference, are erased in the imperial narrative of time. In this world view North Atlantic global dominance stems not from its conquest of the rest of the world but from historical precedence (Connell, 2007: 38).

'Southern' may loosely reference a geographical region and otherwise reflect familiar global divides, but the seminal point is that there is no global North that is not also the product of centuries old interactions between regions and cultures spanning the globe (Sen, 2006). The modern world dominated by North Atlantic countries was global from the start. It depended, for example, on the prior globalisation of technologies (like printing and gunpowder, both invented in China) and knowledge accumulated from different cultures over many centuries (in mathematics and philosophy, for example, in which Islamic and Asian achievements were of central importance), not to mention access to land, raw materials, manufacturing techniques and labour (including slave labour) in many parts of the non-western world (see Beckert, 2014). Southern criminology seeks to insert these events and relations back into history and contemporary analysis.

The missing element here is empire. Of course, empire is acknowledged as a fact but invariably one that plays no part as an organising principle of analysis. Over the course of several centuries, but rising to its zenith in the nineteenth century, European imperial states colonised vast swathes of the Americas, Africa, the Middle East, Asia and the Pacific (Beckett, 2014; Gregory 2004). At the height of western imperial power, they controlled as much as nine tenths of the global land mass, establishing white settler communities in foreign lands, superimposing colonial borders on local ethnic, tribal and other boundaries, extracting raw materials, exploiting labour and opening up trade routes to the West (Beckett, 2014; Gregory 2004). In the second half of the twentieth century the global South underwent a wave of de-colonisation, but many of these societies continue to wrestle with the legacies of colonialism and continuing western intervention and control. The most intractable violent conflicts in the world today (in Africa, the Middle East, and South Asia) belong to this history.

Other societies of the South - the Latin American countries, Australia, New Zealand and Israel– remain as colonial settler states in at least one vital respect. These are post-colonial societies whose claims to national sovereignty and independence are based on the culture and political identity of their European settler populations, not their colonized Indigenous inhabitants. Until the transition to majority rule in the early 1990s South Africa would also have been included in this list. Like South Africa, these settler societies all have long histories of racial segregation and exclusion (Perry, 1996). The contemporary legacies are reflected in the plight of Indigenous peoples: extreme levels of poverty, fractured cultures and communities, high levels of violence and conflict, low life expectancy, and massive over-representation in the criminal justice system (World Bank, 2011).To complicate this

picture further, global North countries like the United States and Canada also share these characteristics as colonial settler societies. The southern plantation economy of the United States was based on slavery until the civil war and on a brutal form of racial segregation for a further century after that.

Hence the idea of the South captures the fact that there are enclaves of the South within the North and unresolved North/South tensions *within* many societies. Of no less significance is that the recent shifting balance of global economic growth and power from North to South, to countries like Brazil, Russia, India, China and others (the so-called BRICS), is lifting millions out of poverty and creating a growing middle class in these countries (UNDP, 2013), thus reducing inequalities between North and South. The global digital divide is closing even more rapidly, shrinking the world, increasing economic opportunities for many in poor countries and intensifying the scale and speed that capital, ideas, goods, services and people move around the world. Immigration and global travel are also introducing the South into the North on an ever growing scale (UNDP, 2013).

Yet at a macro level, vast disparities remain between North and South in wealth, income, and access to education, health care, adequate food and shelter, effective political institutions and safe and secure living environments (World Population Data Set, 2014) and inequalities *within* many societies of the South (as well as the North) are increasing. Grinding poverty is concentrated in the South, with 1.2 billion people still living on $1.25 or less a day (UNDP, 2014). Other grave problems – environmental degradation, climate change, human dislocation, resource conflicts, people trafficking, organised crime, corruption, terrorism, financial crisis – have a mutually reinforcing impact on poverty and social conflict in the poorest parts of the world. In a globally connected world the collateral impacts are felt far and wide. In short, issues of vital criminological research and policy significance abound in the global South, with important implications for South/North relations, and for questions of global security and justice. These issues also have significance for the forms of criminological theorisation that might contribute to a better understanding of the challenges of the present and future. In what follows, we consider several of these issues in more depth.

Crimes outside the Metropole: the Many Worlds of Violence

There is a glaring contrast between the different worlds of violence to be found in North and South that underlines the myopia of so much metropolitan criminology. In addition to poverty and multiple deprivations, organised violence in all its forms and manifestations is also heavily concentrated in the global South. The World Bank (2011: 2) estimates that 'one in four people on the planet, more than 1.5 billion, live in fragile and conflict-affected states or in countries with very high levels of criminal violence.' Even as the incidence of both inter-state wars and civil wars declined since the 1990s, other forms of large-scale criminal violence and 'cycles of repeat violence' (drug wars, political violence and high levels of violent crime) increased. The condition no longer fits comfortably within

twentieth century paradigms of conflict. It cannot usefully be described as either one of 'war' or of 'peace' (World Bank, 2011: 2). Many countries (including South Africa and the central American republics) have made progress in relation to political conflict only to continue to be dogged by high levels of criminal violence. Homicide rates in Latin America for example are: 'the highest in the world (rate 27.5 per 100,000 pop.), over three times greater than those for the European Region…' (Briceno-Leon, Villaveces and Concha-Eastman, 2008: 752).

Violence and organized crime are intimately related to other problems, of governance, poverty and environmental destruction. Lucrative criminal activities, like drug trafficking, finance political movements and corruption of public officials while criminal gangs are used for political standover at election times (as in Mexico: see Morris, 2012). Countries experiencing such violence are also much more likely to lag behind others in addressing their high levels of poverty and inequality (World Bank, 2011). Today, as in the past, many of these problems are conditioned not merely by forces from within (the idea that crime is local) but by the pattern of wider relationships within which countries are embedded. In a globally interconnected world the collateral effects of violence also increasingly flow over national borders, spreading conflict and instability outward to neighbouring and, increasingly, also faraway countries.

The dominant traditions within criminology largely eschewed an interest in such forms of violence and conflict. Developed on the foundations of nineteenth century practical social inquiry, medical science and moral statistics (Levin and Lindesmith, 1937), both the individualistic and sociological positivist traditions treated the urban context of metropolitan societies as the natural laboratory of criminological inquiry and theory (Hogg and Carrington, 2006:1-18). A central concern was with the disruptive effects of migration and urbanisation on traditional patterns of social control in predominantly agrarian societies. The mass movement of people (both within and across national borders) from rural to urban was seen as a major source of social disorganisation, fractured communities, cultural conflict and myriad associated pathologies of urban life (gangs, ghettos, organised crime, drunkenness, sexual promiscuity, suicide and so on), necessitating enlarged criminal justice powers and institutions and measures like organised philanthropy, social work, and slum clearance (Baldwin and Bottoms, 1976). In these theories and research programmes the countryside and 'traditional' rural worlds were largely seen as a vestigial, naturally cohesive space, the alter ego of the fearful, crime-infested inner cities, although in reality in countries of the North this was mostly assumed rather than actually researched (Bottoms, 1994: 648). The role of patriarchy and coerced social control in the maintenance of cohesive, hierarchical social relations in the countryside was also generally overlooked (Alston, 1996; Carrington and Scott, 2008).

These assumptions of metropolitan thinking were largely accepted uncritically, in both North and South, where criminology managed to set down institutional and academic roots. It was a criminology

therefore that presupposed the resolution of the Hobbesian problem of social war according to Hobbes' own prescription for the institution of sovereign territorial states (with the later supplement of liberal civil and political rights) (Hobbes, 1651). Taking a high level of internal peace for granted, as the very condition of its existence, criminology rarely inquired into how those conditions were brought about (or not) in different historical and geo-political settings. How states were made, how their rule (through justice institutions and otherwise) was exerted, and how the reach of their power was extended into new worlds were left unexamined. Rather, criminology largely confined its attention to the relatively minor delinquencies that troubled the internal peace of stable liberal states (mostly without seriously threatening them), to the more efficient measurement of these problems (crime statistics, surveys and the like) and to refining the instruments for policing, controlling, punishing and treating those (mostly poor, young and marginal) individuals and groups who transgressed (Garland, 2001).

From a southern standpoint this simply ignored the historical role of states and the actual direction of movement of people, institutions and ideas that were central to shaping societies of the South as they were drawn into the orbit of the European imperial order. In other words, empire was missing from the analysis. It overlooked the fact that European capitalism was engaged from the outset in the transformation of the global countryside in what was often a violent process (Beckert, 2014). From the standpoint of the colonial periphery, it was not the domestic urban context that was the primary site of world-shattering social change. The periphery, far from being a vestigial rural arcadia, bears the heavy imprints of a 'globe-spanning system' that in different times and places involved (amongst other things): the transportation of African slaves (some 8 million between 1500 and 1800) to plantations in the Caribbean, parts of Latin America and the southern states of the USA; the heavy reliance on other forced labour regimes (including convict labour and indentured labour systems such as that involving Pacific Islanders on plantations of north Queensland); the expropriation of the lands of Indigenous peoples; the violent suppression and criminalisation of resistance; and the deindustrialisation of domestic manufacturing and local moral economies in the South to serve the demands of metropolitan capitalists for raw materials and a mass supply of cheap wage labour (Beckert, 2014). The advance of industrial capitalism in the metropole in the nineteenth century worked hand in glove with the extension and intensification of state-sponsored 'war capitalism' (Beckert, 2014) in the periphery. Similarly today the worlds of violence are interconnected by markets in drugs and guns and political intervention in new forms. Latin America's lethal drug wars, for example, persist due to Northern demand for illicit drugs and trade with Southern American countries in weapons (Grillo, 2014).

Metropolitan criminology focussed on the urban context of industrialising countries of the North, but the issue in many colonial settler states (Australia being a classic example) was not primarily one of managing the migration of people from the countryside into fledgling cities, but of how to populate

the countryside with white settlers and contend with the resistance of its existing inhabitants to their physical and cultural dispossession (Goodall, 1996; Reynolds, 1989). The resultant conflicts and tensions are far from being of mere historical interest. The impact of past expropriation, frontier violence, segregation and autocratic administrative controls under supposed 'protection' and 'welfare' laws, concerted efforts at cultural decimation (breaking up families and removing children), reach into the present, adversely impacting Indigenous health and wellbeing in myriad ways (AIHW 2014). They are reflected in the number of Indigenous people and communities, especially in rural and remote Australia, who live with entrenched poverty, extreme levels of familial and communal violence and massive day-to-day contact with the criminal justice system (Aboriginal & Torres Strait Islander Women's Task Force on Violence, 2000; Al-Yaman, Van Doeland, and Wallis, 2006; Cunneen 2001). Some researchers have suggested the comparison with 'failed states' and 'third world' living conditions is far from fanciful. This experience is one variant within a pattern repeated in other settler societies in the Americas and elsewhere (Perry, 1996).

The problems also persist due to the impacts of contemporary global economic and social change on the rural and remote periphery, affecting Non-Indigenous as well as Indigenous people. As the most marginal section of local populations with the strongest ties to place Indigenous communities tend to suffer the most grievous effects, but many of the forces in question are driving demographic change and shrinking economic opportunities and access to health, education and other services that affects everyone in the periphery. The always fragile white presence has become increasingly so. In many places, there are also the exacerbating effects of multiple, inter-related conflicts over title to land (native title claims), over land use and over environmental degradation and the impacts of climate change (Cleary, 2014). All these factors have sharpened existing divisions (around race for example), brought others to the surface (around gender) and introduced new ones (amongst farmers, miners and environmentalists: White 2013).

A growing body of criminological research is being undertaken into the historical and contemporary forces transforming the global countryside. It reveals both high levels of crime (particularly violence) and very different responses to it (Donnermeyer and DeKeseredy, 2013; Barclay et al, 2007; Hogg and Carrington 2006). In Australia rates of violence are on average considerably higher in regional and rural communities than in the cities (Hogg and Carrington, 2006). Most of it is blamed on Indigenous people, prompting angry demands for law and order crackdowns. High levels of violence in Indigenous communities is undeniable, but depicting the problem as solely an Indigenous one masks the fact that disproportionately high levels of violence exist in white rural populations (Hogg and Carrington, 2006). The temptation to externalize, or *other*, social problems in order to sustain idealized images of rural cohesion is a recurrent feature of public discourse around crime in many rural communities. Cloaking violence, especially sexual violence and domestic violence, in a culture

of denial safeguards such images at the expense of the well-being of victims and their right to live without fear and threat (Hogg and Carrington, 2006).

The selective popular, official and criminological gaze that settles on the crimes of the socially excluded and overlooks, or normalizes, violence and harm elsewhere also operates on another level. At the present time the global countryside across both North and South (including in some of the poorest countries in the world like Laos, Mozambique, Papua New Guinea, Peru and Sudan) is being transformed at the hands of a globalized resources sector eager to access natural resources – coal, iron ore, oil and so on – to meet exploding demand caused by the rapid industrialisation of China, India and other Asian nations (World Bank 2011). Poor, conflict-ridden countries and regions in the global South with weak political institutions are particularly vulnerable to powerful corporations looking to maximise short term profits without regard for long term consequences. Corruption, violence, expropriation of landowners, environmental degradation, and diversion of scarce public resources are commonplace and mutually reinforcing in their harmful effects. Instead of their rich resource base delivering benefits to ordinary citizens, poverty, poor health, degraded living conditions and conflict are perpetuated, and often exacerbated (Ruggiero and South, 2013: 13; Green and Ward, 2004). Even Australia has not managed to escape some of the destructive environmental, social and criminological impacts of the global resource industry's appetite to tap its rich resource base (Carrington, McIntosh and Scott, 2010; Carrington, Hogg and McIntosh 2011; Cleary, 2014). If stable, prosperous, democratic states cannot avoid corruption, cronyism, economic distortions and other symptoms of the 'resource curse', we can only ponder the vulnerability of poor and fragile states confronting the power of global corporations.

Gendered Crime and Victimisation in the Global South

The development of feminist criminology put gender at the centre and not the periphery of criminological theorising and research. The default assumptions of feminist criminology nevertheless, tended to mirror those of the discipline, by elevating and reproducing certain forms of metropolitan thinking (See Carrington, 2015). The particular forms of feminist theory which elevated sexual difference as a central homogenising category of analysis led to a narrowing of the feminist gaze to localised gendered power relations and structures, such as patriarchy. Feminist scholars of colour argued that when women are positioned as a universal category, abstracted from the specificity of women's diverse experiences across time, class, space, history, religion, economics, culture and geo-politics, women outside feminist normative constructions become colonised (Mohanty, 1984: 335).

Like much of criminology, feminist criminologists have tended to confine their critical gaze mostly to domestic issues of criminal justice, at least until recently (Renzetti, 2013; Carrington, 2015; Barberet, 2014). There were good reasons for this given that feminist scholars focused their critical attention on

the invisiblisation of women as victims and their unjust treatment by state based masculinist justice systems (Naffine, 1997; Gelsthorpe, 1989). This should be applauded. But a theory based singularly on gender is and always was insufficient to explain how women of colour, rural women, Indigenous women, and women from impoverished backgrounds are uniquely susceptible to policing, criminalization, and imprisonment (Carlen, 1983; Potter, 2015). Many of these women are situated outside the metropole.

Only by incorporating a tapestry of interconnections encompassing social position, race, ethnicity, location, and gender can the chronic over-representation of particular groups of women in the criminal justice systems begin to be understood (Carlen 1999). Intersectionality has been posited as the theoretical antidote to feminism's metropolitanism. Hence a transnational feminist criminology that adopts an intersectional approach is a significant advance on essentialist feminist frameworks that privileged a unified mono-cultural, trans-historical conception of gender (Potter 2014; Barberet, 2014; Henne and Troshynski 2013; and Renzetti 2013). Intersectionality is, as Henne and Toshynski (2013) point out essentially, 'a corrective concept' (2013: 468), and warn against emptying it of its post-colonial and geo-political importance. Whilst feminist criminology has come a long way, some argue that it still needs to internationalise and cast its gaze outside the boundaries of the nation state (Barberet, 2014:16), to examine global inequities and 'gendered experiences of colonisation' (Renzetti, 2013: 96), and 'to widen its research agendas to include the distinctively different gendered patterns of crime and violence that occur across the globe' (Carrington, 2015:2).

Since the 1960s the growing internationalization of the economy has seen massive migration of former colonial populations to Europe and America, in pursuit of economic opportunity and to meet the demand for cheap labour (Mohanty 2003:44). Manufacturing operations have also relocated from North to South in search of cheap labour, often in countries with unstable political regimes, low levels of unionization, weak labour laws and high unemployment. Global demographic change has resulted in the mass incorporation of women from the global South into domestic work, export-processing and labour-intensive industries (Mohanty, 2000: 206-7). This is the geo-economic context to one of the largest unsolved crimes (or series of crimes) of femicide of recent times. Between 1993 and 2010 an estimated 878 women were killed in the Mexican city of Juarez (Arsenault 2011). Juarez is a city of around 2.5 million people, perched on the border with the United States. In the 1990s thousands of factory jobs became available in the factories that located there following the establishment of the North American Free Trade Agreement.

For two decades the Mexican criminal justice system failed to adequately investigate the murders of factory workers, many of native Indian descent who had migrated from poor rural areas of Mexico in search of jobs (Livingston, 2004: 60). Their journeys to and from work (often at night) in a city where drug cartels operated with impunity and corruption was rife made them highly vulnerable targets for

sexual predators. While globalisation opened up opportunities for these impoverished rural women to seek a measure of economic independence (Thayer, 2010), it also exposed them to exploitation and violence. They were stigmatised as outsiders, as public women, who drank, worked and socialised like men and aligned with the stigma of prostitution (Wright, 2005: 289). The victims were blamed for their own fate, diverting public attention from the corrupt government officials, police dereliction of duty, drug cartels and complicit factory owners (Wright 2005).

Over a longer period elsewhere in the global South a very different pattern of gendered violence was experienced by women. *Zina* is defined in centuries old Islamic law as sex outside marriage (Mir-Hosseini, 2011). Where this particular Islamic law operates it can result in a sentence of one hundred lashes, or even death by stoning if adultery is involved (Kahn 2004: 660). These traditional Islamic offences emerged in the 8th century Islamic world to regulate sexuality, promiscuity and prostitution, at a time when the patriarchal rule over women and slaves was a pre-given social reality (Mir-Hosseini, 2011). Over the intervening centuries slavery was abolished and 'Zina laws …became legally obsolete in almost all Muslim countries and communities' (Mir-Hosseini, 2011: 7). That changed in the 1970s. Islamic fundamentalism revived Zina laws across the Muslim majority countries of Libya, Sudan, Aceh in Indonesia, Palestine, Algeria, Somalia, Iran, Pakistan, Iraq, Somalia, parts of Syria, Yemen, Afghanistan, Nigeria and Malaysia (Mir-Hosseini, 2011: 7). Khan, who undertook a study of women punished for zina offences in Pakistan, argues that the revival of Zina laws in the 20th century is a transnational feminist issue of significant and global concern (Khan, 2003: 68).

An emergent feminist scholarship within the Muslim faith, has taken issue with interpretations of Islamic law used to justify the revival of Zina offences (Rahat, 2005; Khan, 2004; Mir-Hosseini, 2011). They point out that the revival of Zina offences is based on patriarchal interpretations of Sharia law that have 'led to regressive gender policies, with devastating consequences for women: compulsory dress codes, gender segregation, and the revival of out-dated patriarchal and tribal models of social relations' (Mir-Hosseini, 2011: 12). They also argue that women punished for Zina are rendered invisible by a cultural relativist acceptance that Zina is a justifiable religious or customary practice (Ibitissam, 2014; Kahn, 2004). Islamic fundamentalism (like other contemporary fundamentalisms) is a modern phenomenon, a reaction to modern conditions, that consciously melds carefully selected elements of the past with present political projects which have nothing traditional about them (Ruthven, 2004: 17-18). Hence the specific forms and effects of systemic violence and discrimination experienced by women where oppressive Islamic laws criminalise consensual adult sex outside marriage is an important project for a southern criminology.

There is also much that feminists from the global North can learn from the struggles for justice by women in the global South. One example is the development of women-only police stations as an

effective, though imperfect, method of combatting violence against women (Hautzinger, 2010). Established for the first time in Brazil in 1985 (which now has 475) women-only police stations have spread across Latin America, including Argentina, Bolivia, Brazil, Ecuador, Nicaragua, Peru, and Uruguay. They deal exclusively with female victims of sexual and domestic violence. Evaluations have found they enhance women's willingness to report, increase the likelihood of conviction and enlarge access to a range of other services such as counselling, health, legal, financial and social support (UN Women, 2011: 1). Although their effectiveness depends upon a range of local factors (Hautzinger, 2010), the overall success has led to their introduction in other parts of the world, including India, the Philippines, Sierra Leone, South Africa and Uganda.

Penality, Punishment and Southern Criminology

The trajectories and dynamics of modern penal development have been the focus of a prolific body of criminological scholarship since the 1970s, much of it influenced by the work of Foucault and the revival and revision of classical sociological theorising around punishment (Garland,1990). In generalising from certain experiences in the metropole – the rise of the penitentiary in the nineteenth century, the contemporary global spread of neo-liberal penal ideas – this scholarship conforms to a familiar (northern) pattern. One notable omission, more striking because of the particular historical focus of this work, relates to the connections between punishment and colonisation and how they impact contemporary understanding of penal practice. Empire is once again an important connecting thread in the relationship between penal practices in North and South. Mark Brown has argued that existing conceptions of the penal field need to be broadened if account is to be taken of colonial penal practices (Brown, 2014: 192). The broadening he suggests is not just geographical in nature, but must also encompass the complex, shifting and contingent ways in which penal practice was articulated with forms of colonial rule according to local circumstances, in countries like India, for example, which is the focus of his research.

Quite apart from how colonial rule and penal practice were articulated *within* colonial settings, punishment was itself an instrument for projecting imperial power and culture across the globe. Penal transportation and the founding of convict colonies in the Global South was a critical component of the statecraft of modern imperial powers. It was central to British domestic and colonial penality for more than three centuries until its cessation in the early twentieth century. Transportation to the Australian colonies was the most significant of these penal projects but was not the only one. Other European imperial states also used transportation as a penal measure, albeit not on the same scale as Britain (Christopher, 2010). Transportation has received little attention in the criminological literature on penal modernism (although see Rusche and Kirchheimer, 1939: 2003). Ignoring or substantially writing it out of the history of penal modernism overlooks not only its role in shaping the societies founded and/or developed as penal colonies, but the significant impacts it had on metropolitan penal

developments. It also severs the genealogy of modern punishment from other experiences and histories that are constitutive of global modernity: colonialism, enclosure and dispossession, migration, and forced labour in its manifold forms.

In more recent times restorative justice ideas and practices have been developed in the South, drawing in particular on New Zealand Maori and other Indigenous forms of dispute resolution (Richards, 2009). In other parts of the global South, including South Africa, Latin America, Timor Leste, similar (often Indigenous) traditions have informed the building of new justice institutions and processes – truth and reconciliation commissions and other transitional justice mechanisms – to support the transition from colonial domination or military dictatorship to democracy, to address gross human rights abuses of the past and to protect against future outbreaks of violent conflict (Tutu, 1999; Lui 2009; Richards 2009; Braithwaite 2013; 2015). These initiatives, often with their roots in the periphery of the periphery, suggest wholly new ways of looking at the world and at how the struggle for justice and democracy might be pursued. Grappling with such questions in war-torn Afghanistan, John Braithwaite has identified some hopeful signs for building peace and democracy in certain extant traditional localised justice practices. He makes the general point that 'criminologists need to be part of a debate about the path to democracy that starts at the periphery of a society rather than at the centre' (Braithwaite, 2013: 209). Elsewhere he points out that other Asian societies, those in the East, have generally been successful at preventing crime (even as they grappled with the legacies of colonisation, the challenges of modernisation and combatting widespread poverty), and might therefore offer some relevant lessons for northern societies that manage to produce a lot of criminology but enjoy less success when it comes to crime prevention (Braithwaite, 2015).

In recent years the neoliberal thesis on penality (Lacey, 2013) has been a widely accepted way of thinking about the punitive turn in criminal justice. However this thesis is based on specific experiences of the global North – primarily that of the United States since the 1970s. This narrative describes the contemporary penal field as being heavily colonized by a trend of increasing punitiveness driven by the emergence of neoliberalism - a political project designed and developed by an increasingly transnational elite that has radically transformed the character of the state in the spheres of economic, social and penal interventions. This narrative is embedded most strongly in the work of Wacquant (2009a; 2009b; 2013), who argues that what happened to criminal justice initially in the United States spread as the neoliberal political project with which it is connected reached across the world. He provides examples from the global North, especially from Europe (Britain and France) to support his argument – although acknowledging more complexity in the process in his most recent version (Wacquant, 2009b: 243-286). However, this thesis has also been extended to penality in countries of the global South, particularly in Latin America (in relation to Brazil see Wacquant, 2003, 2008; and more generally see Iturralde 2010a, 2010b; 2012; Muller 2011).

Neo-liberalism was promoted in South America during the 1970s, 1980s and 1990s, in different times and contexts and by different government economic and social reforms. Neoliberal reforms occurred under both dictatorial and democratic governments, which followed the lead of international agencies like the World Bank and the International Monetary Fund. Simultaneously, there has also been a punitive turn, as measured by incarceration rates (an imperfect but the only available indicator), as in Colombia and Brazil. However, this does not mean that in such cases the relationship between the influence of neoliberalism and this punitive turn can be considered simple or automatic, as the example of Argentina illustrates. At the beginning of the 1990s neoliberal reforms under "Menemism" (the political alliance around the figure of President Menem who governed Argentina between 1989 and 1999) was combined with a moderate growth of some indicators of punitiveness but also with a certain stability in others. This changed in the second half of the 1990s, when penal populism emerged from a crisis of legitimacy in the context of the strong politicization of crime (Sozzo, 2011: 24-43; 2015a). In the case of Argentina, after a strong trend towards increased punitiveness from the mid-1990s, the incarceration rate continued to increase during the "Kirchnerist" process of political change that began in 2003, but to a much lower degree (Sozzo, 2015a; 2015b; 2015c). Something similar has happened in Uruguay since 2005. Furthermore there are also other national cases in the region in which the simultaneous presence of reforms inspired by neo-liberal principles and a punitive turn are not evident, at least in terms of incarceration rates, as in Venezuela during the 1990s or Bolivia between mid-1990 and mid-2000 (Sozzo, 2015b).

The use of the neoliberal penality thesis to describe and explain the penal present in this region of the global South is also hampered by another crucial element. In several national contexts from the late 1990s political change has seen the rise of political alliances and programs which have built their identities around being 'postneoliberal', reflecting different levels of radicalism and connections with local traditions of the Left: in Venezuela since 1999, Brazil and Argentina since 2003, Uruguay since 2005, Bolivia since 2006 and Ecuador since 2007. Of course, there is variation between these nation states. But in all of them there are some important materializations such as the expansion of social policies, strengthening of state intervention in the market, non-alignment with the United States in international relations and nationalization of previously privatized public services. In some of these countries, only more recently has there been a strong punitive turn, at least as measured by the indicator of the rate of imprisonment, as in Bolivia or, even more dramatically, in Venezuela (Hernández and Grijales, 2015). And in other cases, the growing punitive trend to that was observed in the recent past has continued, such as in Brazil (Azevedo and Cifali, 2015). It is, therefore, impossible to assume recent trends toward increased punitiveness in these scenarios are simply the consequence of neoliberalism and treat them as an integral part of some uniform, transnational political project (Sozzo, 2015b). The link between these governmental experiences and penality is more complex. These examples draw attention not only to the role of other processes and dynamics

that cannot be subsumed under the rubric of neoliberalism but also highlight the need to approach more critically the notion that neoliberalism is a transnational political project of a uniform character (O'Malley, 2014).

This brief exploration of penal trends in the global South, as with our earlier examples, provokes a radical rethink of criminological arguments based on experiences in the global North. Metropolitan criminology has too readily generalized from the impact of neo-liberalism in its own societies to the rest of the world. Globalization is often depicted as westernization or the simple extension of the neo-liberal commitment to free markets, small government and harsh punishment across the globe. Such simplification fails to do justice to global diversity in the sources and trajectories of neo-liberalism (Connell and Dados, 2014) and its impacts on penal policies, practices and developments, including diversity within the United States itself.

Conclusion

In making the argument for southern criminology it is not our purpose to add to the growing catalogue of new criminologies. Rather than further fragmenting the field we see southern criminology as a theoretical, empirical and political project aimed at bridging global divides and democratising epistemology by levelling the power imbalances that privilege knowledges produced in the metropolitan centres of the global North, particularly those located in the Anglo world. As an empirical project it seeks to modify the criminological field to make it more inclusive of patterns of crime, justice and security outside the boundaries of the global North (see also Walklate, 2015). We elaborated the argument by briefly outlining several possible projects of a southern criminology. Our purpose was twofold. First, to highlight certain distinctive forms and patterns of crime and trends in criminal justice practice in the global South which substantially elude criminological theory that generalizes from Northern experience. Secondly, to show that North and South are globally interconnected in ways and with effects, both historical and contemporary, which warrant inclusion in criminological research, theoretical and policy agendas. Southern criminology is also a theoretical project that seeks to adjust the theoretical lens of interpretation and to recover histories rooted in colonialism to enable it to more usefully account for the divergent patterns of crime, violence and justice that occur outside the metropole and their power effects on everyday life in the global South.

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[1]such as Durkheim did when he used an ethnographic study of the Arrente people of Australia as the empirical referent for the world's 'most primitive and simple religion' (Durkheim in Connell 2007: 78).

[2] We are grateful to the two reviewers of the draft for their helpful suggestions for how to improve the argument.

[3]North and South at least have the advantage of registering space over time, even if the underlying habits of thought are not always challenged. As loose, ambiguous and contested categories how they are deployed often depends upon the context in which they are used. Asia, barring Japan, has generally been included in the Global South although geographically located in the north. Also many Asian countries (the so-called 'Asian Tigers' like Singapore, Taiwan and South Korea) are in economic terms part of the rich world. Former colonies of Britain like Australia and New Zealand are geographically southern but (as high income countries) are usually lumped in with the countries of the global North. The countries of Latin America are generally regarded as part of the global South, although their varied and historically changing economic and political fortunes mean that not all of them would so readily be categorised as such today or in times past. At one time for example it was common to compare Argentina with Australia as countries undergoing a similar development trajectory. That is, the differences amongst countries categorised within the North, or within the South, are every bit as great and salient as any differences between the two categories.